

SA 1304. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1305. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1306. Mr. CORKER (for himself, Mr. NELSON, of Florida, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1307. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1308. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1309. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1310. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1311. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1312. Mr. SANDERS (for himself, Mrs. GILLIBRAND, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1313. Mr. ALEXANDER (for himself, Mr. BENNETT, Mr. VITTER, Mr. CORNYN, Mr. ISAKSON, Mr. ROBERTS, Mr. KYL, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1314. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1315. Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1316. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1317. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1318. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1319. Mr. VOINOVICH (for himself, Ms. KLOBUCHAR, Mr. TESTER, Ms. COLLINS, Mr. BINGAMAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1320. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1303.** Ms. LANDRIEU (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which

was ordered to lie on the table; as follows:

On page 26, between lines 16 and 17, insert the following:

“(b) REPORT ON TOURISM AND RURAL COMMUNITIES.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Travel and Tourism Industries, in consultation with the Administrator of the Small Business Administration and the Secretary of Agriculture, shall report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Agriculture of the House of Representatives, and the Committee on Small Business of the House of Representatives on developing the tourism potential of rural communities.

“(2) CONTENT OF THE REPORT.—The report required by paragraph (1) shall—

“(A) identify existing Federal programs that provide assistance to rural small businesses in developing tourism marketing and promotion plans relating to tourism in rural areas;

“(B) identify existing Federal programs that assist rural small business concerns in obtaining capital for starting or expanding businesses primarily serving tourists; and

“(C) include recommendations, if any, for improving existing programs or creating new Federal programs that may benefit tourism in rural communities.

**SA 1304.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ ENERGY MARKET MANIPULATION PREVENTION.

(a) FINDINGS.—Congress finds that—

(1) in 1974, the Commodity Futures Trading Commission (referred to in this Act as the “Commission”) was established as an independent agency with a mandate—

(A) to enforce and administer the Commodity Exchange Act (7 U.S.C. 1 et seq.);

(B) to ensure market integrity;

(C) to protect market users from fraud and abusive trading practices; and

(D) to prevent and prosecute manipulation of the price of any covered commodity in interstate commerce;

(2) Congress has given the Commission authority under the Commodity Exchange Act (7 U.S.C. 1 et seq.) to take necessary actions to address market emergencies;

(3) the Commission may use the emergency authority of the Commission with respect to any major market disturbance that prevents the market from accurately reflecting the forces of supply and demand for a covered commodity;

(4) in section 4a(a) of the Commodity Exchange Act (7 U.S.C. 6a(a)), Congress has declared that excessive speculation imposes an undue and unnecessary burden on interstate commerce;

(5) in May 2009, crude oil inventories in the United States were at the highest level of crude oil inventories on record;

(6) in May 2009, demand for oil in the United States dropped to the lowest level of demand in more than a decade;

(7) the national average price of a gallon of gasoline has jumped from \$1.64 per gallon in late December of 2008 to over \$2.61 per gallon as of June 8, 2009;

(8) crude oil prices have increased by over 70 percent since the middle of January 2009; and

(9) in May 2009, the International Energy Agency predicted that global demand for oil will decrease in 2009 to the lowest level of demand since 1981.

(b) DUTIES OF COMMISSION.—The Commission shall use the authority of the Commission, including the emergency authority of the Commission—

(1) to curb immediately the role of excessive speculation in any contract market—

(A) that is within the jurisdiction and control of the Commission; and

(B) on or through which energy futures or swaps are traded;

(2) to eliminate excessive speculation, price distortion, sudden or unreasonable fluctuations or unwarranted changes in prices, or other unlawful activity that causes major market disturbances that prevent the market from accurately reflecting the forces of supply and demand for energy commodities;

(3) to classify immediately each bank holding company that engages in energy futures trading as a noncommercial participant, and subject the bank holding company to strict position limits;

(4) to require immediately that each hedge fund engaged in the trading of energy futures for the hedge fund, or on behalf of a client of the hedge fund—

(A) to register with the Commission as a noncommercial participant; and

(B) to be subject to strict speculation limits;

(5) to eliminate conflicts of interest that may arise in situations during which 1 entity owns or controls a unit that is—

(A) designed to predict the future price of oil;

(B) engaged in the operations of oil assets, including pipelines and storage facilities; and

(C) engaged in the buying or selling of energy derivatives for the unit, or on behalf of a client of the unit; and

(6) to revoke immediately each staff no-action letter that covers a foreign board of trade that has established trading terminals in the United States for the purpose of trading United States commodities to United States investors.

**SA 1305.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ CONGRESSIONAL APPROVAL OF CERTAIN TARP EXPENDITURES.

Notwithstanding any other provision of law, including any provision of the Emergency Economic Stabilization Act of 2008, on and after May 29, 2009, no funds may be disbursed or otherwise obligated under that Act to any entity, if such disbursement would result in the Federal Government acquiring any ownership of the common or preferred stock of the entity receiving such funds, unless the Congress first approves of such disbursement or obligation.

**SA 1306.** Mr. CORKER (for himself, Mr. NELSON of Florida, and Ms. SNOWE)

submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ REIMBURSEMENT OF AUTOMOBILE DISTRIBUTORS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds provided by the United States Government, or any agency, department, or subdivision thereof, to an automobile manufacturer or a distributor thereof as credit, loans, financing, advances, or by any other agreement in connection with such automobile manufacturer's or distributor's proceeding as a debtor under title 11, United States Code, shall be conditioned upon use of such funds to fully reimburse all dealers of such automobile manufacturer or manufacturer's distributor for—

(1) the cost incurred by such dealers during the 9-month period preceding the date on which the proceeding under title 11, United States Code, by or against the automobile manufacturer or manufacturer's distributor is commenced, in acquisition of all parts and inventory in the dealer's possession on the same basis as if the dealers were terminating pursuant to existing franchise agreements or dealer agreements; and

(2) all other obligations owed by such automobile manufacturer or manufacturer's distributor under any other agreement between the dealers and the automobile manufacturer or manufacturer's distributor arising during that 9-month period, including, without limitation, franchise agreement or dealer agreements.

(b) INCLUSION IN TERMS.—Any note, security agreement, loan agreement, or other agreement between an automobile manufacturer or manufacturer's distributor and the Government (or any agency, department, or subdivision thereof) shall expressly provide for the use of such funds as required by this section. A bankruptcy court may not authorize the automobile manufacturer or manufacturer's distributor to obtain credit under section 364 of title 11, United States Code, unless the credit agreement or agreements expressly provided for the use of funds as required by this section.

(c) EFFECTIVENESS OF REJECTION.—Notwithstanding any other provision of law, any rejection by an automobile manufacturer or manufacturer's distributor that is a debtor in a proceeding under title 11, United States Code, of a franchise agreement or dealer agreement pursuant to section 365 of that title, shall not be effective until at least 180 days after the date on which such rejection is otherwise approved by a bankruptcy court.

**SA 1307.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 9. EXTENSION OF PILOT PROGRAMS FOR EMPLOYMENT ELIGIBILITY CONFIRMATION FOR ALIENS.**

Subsection (b) of section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended by striking “11-year” and inserting “17-year”.

**SA 1308.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 9. EMPLOYMENT ELIGIBILITY CONFIRMATION FOR ALIENS.**

(a) SHORT TITLE.—This section may be cited as the “Protecting American Workers Act of 2009”.

(b) PILOT PROGRAMS FOR EMPLOYMENT ELIGIBILITY CONFIRMATION.—Subsection (b) of section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended by striking “Unless” and all that follows.

(c) RESTRICTION ON USE OF FUNDS.—None of the funds made available in the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110-343; 122 Stat. 3765) or the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115) may be used to enter into a contract with a person that does not participate in the pilot program described in section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note).

(d) REQUIRED PARTICIPATION BY UNITED STATES CONTRACTORS.—The head of each agency or department of the United States that enters into a contract shall require, as a condition of the contract, that the contractor participate in the pilot program described in 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-209; 8 U.S.C. 1324a note) to verify the employment eligibility of—

(1) all individuals hired during the term of the contract by the contractor to perform employment duties within the United States; and

(2) all individuals assigned by the contractor to perform work within the United States the under such contract.

(e) REDESIGNATION OF BASIC PILOT PROGRAM.—

(1) REDESIGNATION.—

(A) IN GENERAL.—Sections 401(c)(1), 403(a), 403(b)(1), 403(c)(1), and 405(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) are amended by striking “basic pilot program” each place that term appears and inserting “E-Verify Program”.

(B) TECHNICAL AMENDMENT.—Subsection (a) of section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended in the heading by striking “BASIC PILOT” and inserting “E-VERIFY”.

(2) CONFORMING AMENDMENT.—Paragraph (1) of section 404(h) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended by striking “under a pilot program” and inserting “under this subtitle”.

(f) CHECKING THE IMMIGRATION STATUS OF EMPLOYEES.—Subparagraph (A) of section 403(a)(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended—

(1) by striking “The person” and inserting the following:

“(i) UPON HIRING.—The person”; and

(2) by adding at the end the following:

“(ii) EXISTING EMPLOYEES.—An employer that elects to verify the employment eligibility of existing employees shall verify the employment eligibility of all such employees not later than 10 days after notifying the Secretary of Homeland Security of such election.

“(iii) REQUIRED PARTICIPATION.—The Secretary of Homeland Security may require any employer or class of employers to participate in the E-Verify Program with respect to individuals employed as of, or hired after, the date of the enactment of the Protecting American Workers Act of 2009 if the Secretary has reasonable cause to believe that the employer has engaged in material violations of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).”.

(g) REVERIFICATION.—Subsection (a) of section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-08; 8 U.S.C. 1324a note) is amended by adding at the end the following:

“(5) REVERIFICATION.—Each employer participating in the E-Verify Program shall use the confirmation system to reverify the work authorization of any individual not later than 3 days after the date on which such individual's employment authorization is scheduled to expire, as indicated by the documents that the individual provided to the employer pursuant to section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)), in accordance with the procedures otherwise applicable to the verification of a newly hired employee under this subsection.”.

**SA 1309.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 19, strike line 13 and all that follows through page 25, line 10, and insert the following:

**SEC. 5. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.**

(a) TRAVEL PROMOTION FUND FEES.—Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

“(B) FEES.—

“(i) IN GENERAL.—No later than September 30, 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

“(I) \$10 per travel authorization; and

“(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

“(ii) DISPOSITION OF AMOUNTS COLLECTED.—From the amounts collected under clause (i)(I), \$100,000,000 shall be credited to the Travel Promotion Fund established under section 4 of the Travel Promotion Act of 2009, and any additional amounts shall be used by the Secretary for travel security programs authorized under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), including the Electronic System for Travel Authorization (ESTA) and the United States Visitor and Immigrant Status Indicator Technology (US-VISIT). Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)) is amended by adding at the end the following:

“(E) STRATEGIC PLAN.—

“(i) SUBMISSION.—Not later than 180 days after the date of the enactment of the Travel Promotion Act of 2009, the Secretary of Homeland Security shall prepare and submit a strategic plan to the recipients listed under clause (ii) that describes how the full implementation of the System will ensure that all individuals traveling by airplane to the United States from a program country have their travel authorization verified before boarding the airplane.

“(ii) RECIPIENTS.—The strategic plan prepared under clause (i) shall be submitted to—

“(I) the Committee on Appropriations of the Senate;

“(II) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(III) the Committee on the Judiciary of the Senate

“(IV) the Committee on Appropriations of the House of Representatives;

“(V) the Committee on Homeland Security of the House of Representatives;

“(VI) the Committee on the Judiciary of the House of Representatives; and

“(VII) the Comptroller General of the United States.

“(iii) MILESTONES.—The strategic plan prepared under clause (i) shall include a detailed timeline that describes the specific actions that will be taken to achieve the following milestones:

“(I) Enrollment of all travelers from program countries into the System.

“(II) Incorporation of the airlines into the System.

“(III) Deployment of the technology of the System in all airports located in program countries, either through the use of stand-alone kiosks or through the participation of the airlines.

“(IV) Verification of travel authorizations of all aliens described in subsection (a) before they board an airplane bound for the United States.

“(V) Administration of the System solely with fees collected under subparagraph (B)(i)(II).

“(iv) COMMUNICATIONS STRATEGY.—The strategic plan prepared under clause (i) shall include—

“(I) an analysis of the System’s communications strategy; and

“(II) recommendation for improving the communications strategy to ensure that all travelers to the United States from program countries are informed of the requirements under this section.”.

(2) GAO REVIEW.—Not later than 90 days after receiving a copy of the strategic plan under section 217(h)(3)(E) of the Immigration and Nationality Act, as added by paragraph (1), the Comptroller General shall complete a review of the plan to determine whether the plan addresses the main security risks associated with the Electronic System for Travel Authorization in an efficient, cost effective, and timely manner.

(c) FUNDING LIMITATION.—None of the amounts made available to the Secretary of Homeland Security under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by subsection (a), to carry out the Electronic System for Travel Authorization authorized under section 217(h)(3) of such Act may be expended until the Secretary submits the strategic plan required by section 217(h)(3)(E) of such Act.

#### SEC. 6. ASSESSMENT AUTHORITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in section 2(b)(1)(C) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this section.

(b) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of the Travel and Tourism Promotion Act at no greater, in the aggregate, than \$20,000,000.

(c) REFERENDA.—

(1) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(A) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(B) the assessment is approved by a majority of those voting in the referendum.

(2) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this subsection, the Corporation shall—

(A) provide written or electronic notice not less than 60 days before the date of the referendum;

(B) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(C) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity’s relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

(d) COLLECTION.—

(1) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this Act.

(2) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this Act.

(e) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

#### SEC. 7. OFFICE OF TRAVEL PROMOTION.

Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

##### “SEC. 202. OFFICE OF TRAVEL PROMOTION.

“(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

“(3) DUTIES.—The Director shall—

“(A) report to the Secretary;

“(B) ensure that the Office is effectively carrying out its functions; and

“(C) perform a purely advisory role relating to any responsibilities described in subsection (c) that are related to functions carried out by the Department of Homeland Security or the Department of State.

“(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to override the preeminent role of the Secretary of Homeland Security in setting policies relating to the Nation’s ports of entry and the processes through which individuals are admitted into the United States.

“(c) FUNCTIONS.—The Office shall—

“(1) serve as liaison to the Corporation for Travel Promotion established by section 2 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

“(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

“(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

“(B) to advise the Secretary of Homeland Security on ways to improve the experience of incoming international passengers and to provide these passengers with more accurate information;

“(C) to collect accurate data on the total number of international visitors that visit each State; and

“(D) to advise the Secretary of Homeland Security on ways to enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

“(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

“(d) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of the Travel Promotion Act of 2009, and periodically thereafter, as appropriate, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives, which describes the Office’s work with the Corporation, the Secretary of State, and the Secretary of Homeland Security to carry out subsection (c)(2).”.

**SA 1310.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 20, strike line 3 and all that follows through page 25, line 10, and insert the following:

“(ii) DISPOSITION OF AMOUNTS COLLECTED.—From the amounts collected under clause (i)(I), \$100,000,000 shall be credited to the

Travel Promotion Fund established under section 4 of the Travel Promotion Act of 2009, and any additional amounts shall be used by the Secretary for travel security programs authorized under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), including the Electronic System for Travel Authorization (ESTA) and the United States Visitor and Immigrant Status Indicator Technology (US-VISIT). Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”.

#### SEC. 6. ASSESSMENT AUTHORITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in section 2(b)(1)(C) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this section.

(b) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of the Travel and Tourism Promotion Act at no greater, in the aggregate, than \$20,000,000.

#### (c) REFERENDA.—

(1) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(A) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(B) the assessment is approved by a majority of those voting in the referendum.

(2) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this subsection, the Corporation shall—

(A) provide written or electronic notice not less than 60 days before the date of the referendum;

(B) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(C) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity's relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

#### (d) COLLECTION.—

(1) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this Act.

(2) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this Act.

(e) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

#### SEC. 7. OFFICE OF TRAVEL PROMOTION.

Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

#### “SEC. 202. OFFICE OF TRAVEL PROMOTION.

“(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

“(3) DUTIES.—The Director shall—

“(A) report to the Secretary;

“(B) ensure that the Office is effectively carrying out its functions; and

“(C) perform a purely advisory role relating to any responsibilities described in subsection (c) that are related to functions carried out by the Department of Homeland Security or the Department of State.

“(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to override the preeminent role of the Secretary of Homeland Security in setting policies relating to the Nation's ports of entry and the processes through which individuals are admitted into the United States.

“(c) FUNCTIONS.—The Office shall—

“(1) serve as liaison to the Corporation for Travel Promotion established by section 2 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

“(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

“(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

“(B) to advise the Secretary of Homeland Security on ways to improve the experience of incoming international passengers and to provide these passengers with more accurate information;

“(C) to collect accurate data on the total number of international visitors that visit each State; and

“(D) to advise the Secretary of Homeland Security on ways to enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

“(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

“(d) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of the Travel Promotion Act of 2009, and periodically thereafter, as appropriate, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives, which describes the Office's work with the Corporation, the Secretary of State, and the Secretary of Homeland Security to carry out subsection (c)(2).”.

**SA 1311.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 10, between lines 10 and 11, insert the following:

#### (4) REVIEW OF INFORMATION.—

(A) SUBMISSION.—The Corporation shall submit all information relating to United States Government travel and visa requirements proposed to be disseminated to foreign travelers under paragraphs (1)(A) and (3) to the Secretary of State and Secretary of Homeland Security for review in order to ensure that the travel promotion campaigns funded through the Travel Promotion Fund are factually accurate.

(B) REVIEW AND FEEDBACK.—Not later than 10 business days after receiving information from the Corporation under subparagraph (A), the Secretary of State and the Secretary of Homeland Security shall each—

(i) complete a review of the factual content of the information submitted by the Corporation under subparagraph (A); and

(ii) correct any factual errors discovered in such information.

(C) LIMITATION.—The Secretary of State and the Secretary of Homeland Security shall limit their review under this paragraph to the factual content of the information that the Corporation is proposing to disseminate.

(D) CHANGES.—The Corporation shall make all reasonable changes to the factual content of the information it proposes to disseminate to foreign travelers based on the feedback received from the Secretary of State and the Secretary of Homeland Security to ensure that such information is accurate.

(E) EFFECT OF FAILURE TO RESPOND.—If the Corporation does not receive a response from the Secretary of State or the Secretary of Homeland Security within 10 business days after the receipt of the information submitted under subparagraph (A), the factual content of the proposed information campaign shall be deemed to have been authorized by the Secretary of State and the Secretary of Homeland Security.

**SA 1312.** Mr. SANDERS (for himself, Mrs. GILLIBRAND, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

Beginning on page 2, strike line 20, and all that follows through page 3, line 7, and insert the following:

(1) IN GENERAL.—The Corporation shall have a board of directors of 12 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

(A) 1 shall have appropriate expertise and experience in the agritourism sector;

**SA 1313.** Mr. ALEXANDER (for himself, Mr. BENNETT, Mr. VITTER, Mr. CORNYN, Mr. ISAKSON, Mr. ROBERTS,

Mr. KYL, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. RESTRICTIONS ON TARP EXPENDITURES FOR AUTOMOBILE MANUFACTURERS; FIDUCIARY DUTY TO TAXPAYERS; REQUIRED ISSUANCE OF COMMON STOCK TO TAXPAYERS.**

(a) **SHORT TITLE.**—This section may be cited as the “Auto Stock for Every Taxpayer Act”.

(b) **PROHIBITION ON FURTHER TARP FUNDS.**—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008 (Public Law 110-343), or any other provision of law, the Secretary may not expend or obligate any funds made available under that Act on or after the date of enactment of this Act with respect to any designated automobile manufacturer.

(c) **FIDUCIARY DUTY TO SHAREHOLDERS.**—With respect to any designated automobile manufacturer, the Secretary, and the designee of the Secretary who is responsible for the exercise of shareholder voting rights with respect to a designated automobile manufacturer pursuant to assistance provided under the Emergency Economic Stabilization Act of 2008, shall have a fiduciary duty to the American taxpayer for the maximization of the return on the investment of the taxpayer under that Act, in the same manner, and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applicable provisions of State law.

(d) **REQUIRED ISSUANCE OF COMMON STOCK TO ELIGIBLE TAXPAYERS.**—Not later than 1 year after the emergence of any designated automobile manufacturer from bankruptcy protection described in subsection (f)(1)(B), the Secretary shall direct the designated automobile manufacturer to issue through the Secretary a certificate of common stock to each eligible taxpayer, which shall represent such taxpayer's per capita share of the aggregate common stock holdings of the United States Government in the designated automobile manufacturer on such date.

(e) **CIVIL ACTIONS AUTHORIZED.**—A person who is aggrieved of a violation of the fiduciary duty established under subsection (c) may bring a civil action in an appropriate United States district court to obtain injunctive or other equitable relief relating to the violation.

(f) **DEFINITIONS.**—As used in this section—

(1) the term “designated automobile manufacturer” means an entity organized under the laws of a State, the primary business of which is the manufacture of automobiles, and any affiliate thereof, if such automobile manufacturer—

(A) has received funds under the Emergency Economic Stabilization Act of 2008 (Public Law 110-343), or funds were obligated under that Act, before the date of enactment of this Act; and

(B) has filed for bankruptcy protection under chapter 11 of title 11, United States Code, during the 90-day period preceding the date of enactment of this Act;

(2) the term “eligible taxpayer” means any individual taxpayer who filed a Federal taxable return for taxable year 2008 (including any joint return) not later than the due date for such return (including any extension);

(3) the term “Secretary” means the Secretary of the Treasury or the designee of the Secretary; and

(4) the terms “director”, “issuer”, “securities”, and “securities laws” have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

**SA 1314.** Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**TITLE I—COMMISSIONS ON WARTIME TREATMENT**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Wartime Treatment Study Act”.

**SEC. 102. FINDINGS.**

Congress makes the following findings:

(1) During World War II, the United States Government deemed as “enemy aliens” more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families, requiring them to carry Certificates of Identification and limiting their travel and personal property rights. At that time, these groups were the two largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, thousands of European Latin Americans, including German and Austrian Jews, were arrested, relocated to the United States, and interned. Many were later repatriated or deported to European Axis nations during World War II and exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the Armed Forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the German American and Italian American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930s and 1940s, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

**SEC. 103. DEFINITIONS.**

In this title:

(1) **DURING WORLD WAR II.**—The term “during World War II” refers to the period between September 1, 1939, through December 31, 1948.

(2) **EUROPEAN AMERICANS.**—

(A) **IN GENERAL.**—The term “European Americans” refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) **GERMAN AMERICANS.**—The term “German Americans” refers to United States citizens and resident aliens of German ancestry.

(C) **ITALIAN AMERICANS.**—The term “Italian Americans” refers to United States citizens and resident aliens of Italian ancestry.

(3) **EUROPEAN LATIN AMERICANS.**—The term “European Latin Americans” refers to persons of European ancestry, including German or Italian ancestry, residing in a Latin American nation during World War II.

(4) **LATIN AMERICAN NATION.**—The term “Latin American nation” refers to any nation in Central America, South America, or the Caribbean.

**Subtitle A—Commission on Wartime Treatment of European Americans**

**SEC. 111. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.**

(a) **IN GENERAL.**—There is established the Commission on Wartime Treatment of European Americans (referred to in this subtitle as the “European American Commission”).

(b) **MEMBERSHIP.**—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) **TERMS.**—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) **REPRESENTATION.**—The European American Commission shall include 2 members representing the interests of Italian Americans and two members representing the interests of German Americans.

(e) **MEETINGS.**—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) **QUORUM.**—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) **CHAIRMAN.**—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) **COMPENSATION.**—

(1) **IN GENERAL.**—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

**SEC. 112. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.**

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government action during World War II with respect to European Americans and European Latin Americans pursuant to United States laws and directives, including the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to these and other pertinent laws, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall also include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as "World War II detention facilities");

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(2) An assessment of the underlying rationale of the decision of the United States Government to develop the programs and policies described in paragraph (1), the information the United States Government received or acquired suggesting these programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(3) A brief review of the participation by European Americans in the United States Armed Forces, including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including public education programs and the creation of a comprehensive online

database by the National Archives and Records Administration of documents related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 111(e).

**SEC. 113. POWERS OF THE EUROPEAN AMERICAN COMMISSION.**

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this subtitle, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND CO-OPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime and Internment of Civilians Act (Public Law 96-317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106-451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the European American Commission shall be deemed to be a committee of jurisdiction.

**SEC. 114. ADMINISTRATIVE PROVISIONS.**

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative

services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

**SEC. 115. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated \$600,000 to carry out this subtitle.

**SEC. 116. SUNSET.**

The European American Commission shall terminate 60 days after it submits its report to Congress.

**Subtitle B—Commission on Wartime Treatment of Jewish Refugees**

**SEC. 121. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.**

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this subtitle as the "Jewish Refugee Commission").

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include two members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

**SEC. 122. DUTIES OF THE JEWISH REFUGEE COMMISSION.**

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period

between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) **FIELD HEARINGS.**—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) **REPORT.**—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 121(e).

#### **SEC. 123. POWERS OF THE JEWISH REFUGEE COMMISSION.**

(a) **IN GENERAL.**—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this subtitle, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) **GOVERNMENT INFORMATION AND CO-OPERATION.**—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law. For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

#### **SEC. 124. ADMINISTRATIVE PROVISIONS.**

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

#### **SEC. 125. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated \$600,000 to carry out this subtitle.

#### **SEC. 126. SUNSET.**

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

### **Subtitle C—Funding Source**

#### **SEC. 131. FUNDING SOURCE.**

Of the funds made available for the Department of Justice by the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), \$1,200,000 is hereby rescinded.

**SA 1315.** Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 26, after line 20, add the following:

#### **SEC. 9. DETAINEE PHOTOGRAPHIC RECORDS PROTECTION.**

(a) **SHORT TITLE.**—This section may be cited as the "Detainee Photographic Records Protection Act of 2009".

(b) **DEFINITIONS.**—In this section:

(1) **COVERED RECORD.**—The term "covered record" means any record—

(A) that is a photograph that—

(i) was taken during the period beginning on September 11, 2001, through January 22, 2009; and

(ii) relates to the treatment of individuals engaged, captured, or detained after September 11, 2001, by the Armed Forces of the United States in operations outside of the United States; and

(B) for which a certification by the Secretary of Defense under subsection (c) is in effect.

(2) **PHOTOGRAPH.**—The term "photograph" encompasses all photographic images, whether originals or copies, including still photographs, negatives, digital images, films, video tapes, and motion pictures.

(c) **CERTIFICATION.**—

(1) **IN GENERAL.**—For any photograph described under subsection (b)(1)(A), the Secretary of Defense shall submit a certification to the President, if the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, determines that the disclosure of that photograph would endanger—

(A) citizens of the United States; or

(B) members of the Armed Forces or employees of the United States Government deployed outside the United States.

(2) **CERTIFICATION EXPIRATION.**—A certification submitted under paragraph (1) and a renewal of a certification submitted under paragraph (3) shall expire 3 years after the date on which the certification or renewal, as the case may be, is submitted to the President.

(3) **CERTIFICATION RENEWAL.**—The Secretary of Defense may submit to the President—

(A) a renewal of a certification in accordance with paragraph (1) at any time; and

(B) more than 1 renewal of a certification.

(4) **NOTICE TO CONGRESS.**—A timely notice of the Secretary's certification shall be submitted to Congress.

(d) **NONDISCLOSURE OF DETAINEE RECORDS.**—A covered record shall not be subject to—

(1) disclosure under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); or

(2) disclosure under any proceeding under that section.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preclude the voluntary disclosure of a covered record.

(f) **EFFECTIVE DATE.**—This section shall take effect on the date of enactment of this Act and apply to any photograph created before, on, or after that date that is a covered record.

**SA 1316.** Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ REPEAL OF AUTHORITY TO EXTEND THE TROUBLED ASSET RELIEF PROGRAM.**

Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended—

(1) by striking subsection (b); and

(2) by striking "(a) TERMINATION.—".

**SA 1317.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 9. TERMINATION OF TARP.**

Section 120(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230(b)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) **IN GENERAL.**—The Secretary";

(2) by inserting before the first period the following: " , unless there is enacted by Congress, not later than 15 days after the date of receipt of such certification, a joint resolution of disapproval, as described in paragraph (2)"; and

(3) by adding at the end the following:

"(2) **JOINT RESOLUTION.**—For purposes of this subsection, the term 'joint resolution' means only a joint resolution—

"(A) that is introduced not later than 3 calendar days after the date on which the

certification of the Secretary referred to in paragraph (1) is received by Congress;

“(B) which does not have a preamble;

“(C) the title of which is as follows: ‘Joint resolution relating to the disapproval of the extension of authority under the Emergency Economic Stabilization Act of 2008’; and

“(D) the matter after the resolving clause of which is as follows: ‘That Congress disapproves of the extension of the authorities described in section 120(a) of the Emergency Economic Stabilization Act of 2008.’.

“(3) FAST TRACK.—The provisions of subsections (d) through (f) of section 115 shall apply to a resolution of disapproval for purposes of this subsection.”.

**SA 1318.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . . . TERMINATION OF TARP.**

Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended—

- (1) by striking subsection (b); and
- (2) by striking “(a) TERMINATION.—”.

**SA 1319.** Mr. VOINOVICH (for himself, Ms. KLOBUCHAR, Mr. TESTER, Ms. COLLINS, Mr. BINGAMAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 9. PASSPORT CARD TRAVEL ENHANCEMENT.**

(a) PASSPORT CARD DEFINED.—In this section, the term “passport card” means the document—

- (1) known as a passport card that is issued to a national of the United States on the same basis as a regular passport; and
- (2) that the Secretary of State began issuing during 2008.

(b) PASSPORT CARDS FOR AIR TRAVEL.—

(1) REQUIREMENT TO ACCEPT PASSPORT CARDS FOR AIR TRAVEL.—Notwithstanding any regulation issued by the Secretary of Homeland Security or the Secretary of State, the Secretary of Homeland Security and the Secretary of State shall permit a passport card issued to a national of the United States to serve as proof of identity and citizenship of such national if such national is departing from or entering the United States through an air port of entry for travel that terminates or originates in—

- (A) Bermuda;
- (B) Canada;
- (C) a foreign country located in the Caribbean; or
- (D) Mexico.

(2) FEES FOR PASSPORT CARDS.—Neither the Secretary of State or the Secretary of Homeland Security may increase, or propose an increase to, the fee for issuance of a passport card as a result of the requirements of paragraph (1).

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Homeland shall issue final regulations to implement this section.

**SA 1320.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 3, strike lines 12 through 14 and insert the following:

(C) 1 shall have appropriate expertise and experience—

- (i) with small business concerns (as that term is used in section 3 of the Small Business Act (15 U.S.C. 632)) or associations that represent small business concerns; and
- (ii) in the retail sector or in associations representing that sector;

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 14, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 796, Hardrock Mining and Reclamation Act of 2009 and S. 140, Abandoned Mine Reclamation Act of 2009.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Gina\_Weinstock@energy.senate.gov.

For further information, please contact Patty Beneke at (202) 224-5451 or Gina Weinstock at (202) 224-5684.

### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, June 17, 2009, at 1:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 409, to secure Federal ownership and management of significant natural, scenic, and recreational resources; S. 782, to provide for the establishment of the National Volcano Early Warning and Monitoring System; S. 874, to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico; S. 1139, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon; and S. 1140, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Anna\_fox@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Anna Fox at (202) 224-1219.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 16, 2009, at 9:30 a.m., to conduct a hearing entitled “Greener Communities, Greater Opportunities: New Ideas for Sustainable Development and Economic Growth.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, from 10:15-11 a.m. in room SD-366 of the Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.